



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control
NEWS RELEASE

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Arnold Schwarzenegger, Governor

Maureen Gorsen, Director

FOR IMMEDIATE RELEASE

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Contact: Susie Wong
(916) 324-2997

**CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL
WORKING TO ELIMINATE HEAVY METALS FROM CONSUMER PACKAGES**

SACRAMENTO – The California Department of Toxic Substances (DTSC) Control announced the Toxics in Packaging outreach program designed to provide information and resources to over 3,400 California suppliers, manufacturers, and distributors whose packaging for consumer products may exceed state standards for heavy metals. The outreach program includes public workshops, DTSC Web site postings and informational mailers.

“Our new program goal is to help manufacturers eliminate heavy metals in consumer packaging by adjusting their production process,” said DTSC Director Maureen Gorsen. “We plan to work with manufacturers, provide scientific testing, listen to concerns, and develop strategies and screening criteria specifically designed for our state’s needs,” Gorsen added.

Discarded packaging from consumer products is a significant portion of waste disposed of at municipal and solid waste landfills. Packaging that contains heavy metals can release those contaminants and pose a threat to soil, groundwater, and the environment.

The Toxics in Packaging Prevention Act (AB 2021) was approved by the California Legislature and became law in January 2006. The law is based on a national model and prohibits the sale or distribution of packaging containing intentionally added heavy metals (cadmium, lead, mercury, and hexavalent chromium) and sets limits on the incidental concentration of these materials in packaging. The law seeks to reduce the amount of these heavy metals in consumer packages including; unsealed receptacles, carrying cases, crates, cups, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs. Under the Act, consumer products in packages cannot be sold in California if the sum total concentration levels of the metals exceed 100 parts per million (ppm) by weight.

“Packaging components” – individual or assembled parts of a package that are used to block, brace, cushion, weatherproof, coat, dye, or stabilize the interior or exterior of the consumer product are also included under the legislation.

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In 2005, DTSC joined eight (8) other states as a member of the national Toxics in Packaging Clearinghouse (TPCH). The Clearinghouse actively participates in national outreach and compliance screening activities and has just released its report of a compliance screening project. The report concludes that 16 percent of retail packaging failed a screening test and are likely in violation of various state laws. Their report notes that flexible plastic bags made of polyvinylchloride (PVC) were among the packaging types most likely to contain lead and cadmium. Historically, these metals were used as inexpensive stabilizers to retard the degradation of plastics exposed to heat and ultraviolet light. The study found that over 60% of this packaging type did not comply with state toxics in packaging laws. Almost all of the flexible PVC samples were from products imported from Asia, according to the product label. This “heavy duty” plastic is frequently used to package home furnishings, cosmetics, inexpensive toys, and pet supplies. Many of the samples analyzed by TPCH were from distributors to nationally recognized retailers that have retail centers in California. DTSC will take enforcement action on California-based retailers that cannot demonstrate compliance.

Inks and colorants used on plastic shopping and mailing bags were the other packaging materials with frequently detected heavy metals. Lead was most often found in the shopping bags that failed the screening test, but mercury and chromium were also detected in some samples. DTSC will use the results of the TPCH study to guide its toxics in packaging program, including the investigation of packages most likely to be non-compliant, as well as research of appropriate screening and confirmation testing methods.

DTSC’s program will include presentations at conferences, trainings, and workshops for manufacturers, distributors, and suppliers held at selected locations throughout the state. DTSC’s program will also include random screening tests of packaging materials. “Companies can be expected to undertake action to eliminate heavy metals in their packaging or face more aggressive enforcement of California’s Toxics in Packaging Prevention Act,” said Maureen Gorsen.

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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control phone: (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.